

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, DECEMBER 15, 2008

PORTSMOUTH, NH
TIME: 7:00PM [or thereafter]

At 6:00 p.m., a Work Session with the Legislative Delegation was held.

I. CALL TO ORDER

Mayor Ferrini called the meeting to order at 7:05 p.m.

II. ROLL CALL

Present: Mayor Ferrini, Assistant Mayor Blalock, Councilors Novelline Clayburgh, Dwyer, Smith, Kennedy, Spear, Hejtmanek and Pantelakos

III. INVOCATION

Mayor Ferrini asked everyone to join in a moment of silent prayer.

IV. PLEDGE OF ALLEGIANCE

Councilor Pantelakos led in the Pledge of Allegiance to the Flag.

MAYOR'S AWARD

1. Patricia Remick, Recognition for Annual Report Award

Mayor's Award was presented by Mayor Ferrini to Patricia Remick for receiving on behalf of the City of Portsmouth, the Excellence in Annual Report Awards for the Local Government Center for creating both an informational and citizen-friendly communication for our citizens.

City Manager Bohenko stated that the City has not had an Annual Report for a number of years and in an attempt to increase communication with the public the Annual Report was one of the many things the City has tried to do and many people have enjoyed. He stated that in order to limit the number of copies printed, the Annual Report is on the City's website for people to view.

2. Rudi's Restaurant – Recognition for Thanksgiving Dinner

Mayor's Awards were presented by Mayor Ferrini to Keith Prince, Owner; Brook Gassner, Co-Owner; Chris Frazee, Manager and Sean Van Celette, Head Chef of Rudi's Restaurant in appreciation for all their generosity in opening the doors of the restaurant to hold the eighth annual Thanksgiving dinner to over 150 needy guests.

Mayor Ferrini said that after having observed the Emergency Operations Center (EOC) within the City of Portsmouth during the recent ice storm and subsequent power outages, on behalf of the City Council he felt that Municipal employees along with the Fire, Police and School Departments all acted in an exemplary way. He further stated that the City of Portsmouth can truly be proud and thankful for their hard work and dedication which went far beyond what he has seen in other places. He asked for a round of applause.

PROCLAMATION

1. Human Rights Day

Councilor Dwyer read the Proclamation declaring December 10, 2008 as Human Rights Day 2008.

PRESENTATION

1. Quarterly Wastewater Master Plan Update Re: Interim Measures Evaluation

City Manager Bohenko turned the meeting over to City Attorney Woodland. City Attorney Woodland reviewed the background on this program for home viewers. She stated that in April 2007, the EPA issued a new permit for the Pierce Island wastewater treatment facility. She said that the new permit requires the City to meet enhanced treatment requirements. She stated that the City has agreed to meet these secondary treatment requirements and has started a multi year planning process to determine how best to meet these limits. She said the Conservation Law Foundation (CLF) has been actively involved in monitoring the City's compliance with federal water quality laws. She said the CLF agreed with the EPA's decision to move to secondary treatment limits at the Pierce Island plant, but felt that the EPA permit did not go far enough. She stated that a settlement agreement was reached between the EPA, CLF and the City. She reviewed several components to that Settlement Agreement.

- First the EPA put the City on notice that a Nitrogen Limit is likely in the next permit cycle. She stated that a nitrogen limit will impact the size of the expanded or new treatment plant and operations.
- Second, the City agreed to continue to educate the public about the complexity of wastewater treatment and the environment.
- Third, the City agreed to study interim measures

City Attorney Woodland turned the presentation over to David Allen, Deputy Director of Public Works. David Allen, Deputy Director of Public Works stated that the numbers have not been defined yet.

David Allen stated that during the Interim Measures Evaluation they had brainstorming session(s) with EPA, DES and CLF in April/May 2008. He said they had a detailed alternatives evaluation in July/August of 2008 and reviewed seven alternatives and in September of 2008 a draft Technical Memorandum was initiated. He stated that in November 2008, EPA, DES and CLF reviewed the memorandum and the final Technical Memorandum was released in December 2008.

Peter Goodwin, Weston & Sampson stated that there were seven potential interim measures that were reviewed. He stated that these interim measures were, (1) Enhance Illicit Discharge Detection Elimination (IDDE) program, (2) Implement Urban Best Management Practices (BMP's), (3) Eliminate Chloramination at Pease, (4) Gosling Road Pump Station Flow Diversion, (5) Headworks Upgrades at Peirce Island, (6) Development of a Stormwater Utility and (7) Utilize In-Pipe Technology Program. He reviewed in detail the seven potential interim measures.

David Allen, Deputy Director of Public Works stated that of the seven potential interim measures the staff recommended considering Increased IDDE Program; Urban BMP Retrofits; and Development of a Stormwater Utility. They recommended further evaluation prior to considering the Potential Pilot of in-Pipe Service at Pease WV/TF and did not recommend at this time Chloramination (UV Disinfection); Flow Diversion and Headworks Upgrade at Peirce Island.

Councilor Dwyer thanked David Allen and his staff for the outstanding report. She stated that the report was very clear and understandable. She stated that she likes the stormwater utility idea and stated that it is what we are looking for with regard to sustainability. She asked if this means there is a basic assessment for the homeowner and then add to that something like a two tiered system. David Allen said that there are a number of options. He said that the City could do as Councilor Dwyer stated; they could figure out the impervious area of each property and base it on that, or there could be a flat rate for homeowners, with a more detailed base line for large shopping centers. He stated that it would take some study, presentations and discussion to come to a final decision. Councilor Dwyer asked why a pilot study on the in-pipe service at Pease would be needed. David Allen stated that with the in-pipe service a bug is placed in the pipes. He said that in some cases it may do more harm than good. Councilor Dwyer asked why we would need to do a pilot program if it has already been shown to work. David Allen stated that there are not a lot of installations where this has been installed and he said that it would be advisable to do a pilot program on a small area prior to the entire system in case there are problems.

Councilor Kennedy asked when the number gets assigned for nutrients, who will be a part of that – who will make that decision. David Allen stated that the EPA will. Councilor Kennedy asked when the City is going to look into UV and is the City ever going to look into using UV. David Allen stated that yes the City will be looking into UV use. He said that he would suggest a pilot program to ensure it works first.

City Manager Bohenko stated that this will have a long fuse to it and it would not happen over night. He said it will have to be fully evaluated as it does have an impact on the fee base. He further stated that we want to make sure that we are in the curve and not way ahead of the curve.

Councilor Hejtmanek asked if the new nitrogen standard is for stormwater or waste water. David Allen stated that it was for wastewater. Councilor Spear stated that the three recommendations they are considering even though they are interim changes, looks like they have lasting effects. David Allen stated that these were recommended because they provide long term benefits.

V. ACCEPTANCE OF MINUTES – NOVEMBER 24, 2008

Councilor Smith moved to approve and accept the minutes of the November 24, 2008, City Council meetings. Seconded by Councilor Pantelakos and voted.

VI. PUBLIC COMMENT SESSION

Tom Irwin, Attorney with the Conservation Law Foundation, spoke to the wastewater plan update and the interim measures evaluation. He stated that Nitrogen impairs water. He said he appreciates what the City and staff have been doing to correct this issue. He stated that the Foundation strongly supports stormwater utilities and the recommendations with respect to urban retrofits. He further stated that the Foundation hopes that the City Council will support and encourage the City Staff to continue evaluating the potential for in-pipe technology.

VII. PUBLIC HEARING

A. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING – MIDDLE ROAD – NORTHERLY SIDE FROM SYLVESTER STREET TO SWETT AVENUE

Jon Frederick, Parking Manager provided an overview of the ordinance changes.

Mayor Ferrini read the legal notice, declared the public hearing open and called for speakers.

After three calls and no speakers, Mayor Ferrini declared the public hearing closed.

B. ORDINANCE AMENDING CHAPTER 7, ARTICLE III, SECTION 7.330 – NO PARKING – MECHANIC STREET:

- SOUTHERLY SIDE, FROM MARCY STREET TO THE PEIRCE ISLAND BRIDGE
- NORTHERLY SIDE, FROM MARCY STREET TO THE PEIRCE ISLAND BRIDGE BETWEEN THE HOURS OF 11:00 P.M. AND 6:00 A.M.
- WESTERLY SIDE, FROM PEIRCE ISLAND ROAD TO A POINT 86 FEET NORTH OF GATES STREET

Jon Frederick, Parking Manager provided an overview of the ordinance changes.

Mayor Ferrini read the legal notice, declared the public hearing open and called for speakers.

After three calls and no speakers, Mayor Ferrini declared the public hearing closed.

VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Police Department Grants & Donations
- Bullet Proof Vest Grant Award in the amount of \$4,557.00 from the Department of Justice
 - Donation in the amount of \$50.00 from the North Church Women in support of the PAL basketball program

Councilor Smith moved to approve and accept the grants and donations to the Portsmouth Police Department, as listed. Seconded by Councilor Pantelakos and voted.

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Amendments to Chapter 7 – Vehicles, Traffic Parking Omnibus Ordinances

Councilor Smith moved to pass first reading and hold a public hearing and second reading of the proposed ordinance, as submitted, at the January 12th City Council meeting. Seconded by Assistant Mayor Blalock and voted.

- B. First reading of Amendment to Chapter 7, Article VI, Section 7.604 – Truck Loading/Unloading Zones – Commercial Loading Zone Permits

Councilor Smith moved to pass first reading and hold a public hearing and second reading of the proposed ordinance, as submitted, at the January 12th City Council meeting. Seconded by Councilor Dwyer and voted.

- C. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Middle Road – Northerly side from Sylvester Street to Swett Avenue

Councilor Smith moved to pass second reading and hold a third and final reading of the proposed ordinance, as submitted, at the January 12, 2009 City Council meeting. Seconded by Councilor Dwyer.

Councilor Kennedy stated that she has a hard time dealing with the loss of parking spaces. City Manager Bohenko stated that he would add additional information in his City Manager's comments to the Councilors whenever an item deals with a parking issue outlining any parking spaces lost or gained and an explanation of such. Councilor Smith stated that this is a deceleration lane where people are parking. He further stated that this is unsafe and should be a no parking area.

Motion passed.

- D. Second reading of Ordinance amending Chapter 7, Article III, Section 7.330 – No Parking – Mechanic Street:
- Southerly side, from Marcy Street to the Peirce Island Bridge
 - Northerly side, from Marcy Street to the Peirce Island Bridge between the hours of 11:00 p.m. and 6:00 a.m.
 - Westerly side, from Peirce Island Road to a point 86 feet north of Gates Street

Councilor Smith moved to pass second reading and hold a third and final reading of the proposed ordinance, as submitted, at the January 12, 2009 City Council meeting. Seconded by Councilor Dwyer.

Councilor Kennedy moved to amend the Northerly side, from Marcy Street to the Peirce Island Bridge between the hours of 11:00 p.m. and 6:00 a.m. to allow parking 24 hours. Seconded by Councilor Spear.

Councilor Spear stated that parking is a challenge in this area and causes vehicles to drive slower, which is not a bad thing. He stated that he would support this motion. Councilor Novelline Clayburgh stated that she would like to get an opinion from the Parking Committee on this issue. Jon Frederick, Parking Manager stated that the ability for a truck to make a turn is impaired by vehicles parking in this area. Steve Parkinson, Director Public Works stated that when vehicles are parked in this area, the street literally becomes one lane and large trucks have a difficult time. He stated that this is an attempt to clean up our ordinance. Councilor Dwyer asked if this is a seasonal problem. Steve Parkinson said that some of it is. Councilor Kennedy stated that there are trucks using the street all day long and restricting parking from 11:00 p.m. to 6:00 a.m. to alleviate the problem for trucks does not make since. She stated that she is concerned about all these parking spaces that are being taken out of the south end. Councilor Smith stated that he would not support the motion, but is willing to send it back to the Traffic & Safety Committee for a report back.

Mayor Ferrini stated that there is a motion on the table to postpone action on the "Northerly side, from Marcy Street to the Peirce Island Bridge between the hours of 11:00 p.m. and 6:00 a.m." until a report back is received from the Traffic & Safety Committee.

Motion passed.

Main motion as amended passed.

X. CONSENT AGENDA

A. Acceptance of Wellness Grant in the amount of \$3,950.00 from HealthTrust's Health Promotion WELLDollars Health and Safety Grant Program to be used towards the City's wellness efforts (**Anticipated action – move to accept the Wellness Grant in the amount of \$3,950.00 from the Trust's Health Promotion WELLDollars Grant Program**)

B. Acceptance of Art-Speak's Overnight Art Event

- \$500.00 – 100 Market Street, LLC
- \$100.00 – Terrence Hunter Allen
- \$25.00 – Mary & John Rauh

Anticipated action – move to accept and approve the grant and donations to Art-Speak's Overnight Art Event, as presented.)

C. Letter from Nancy Pollard, President of Friends of the South End, requesting permission to hold the 5th Annual Fairy House Tour on September 19th and 20th, 2009 (**Anticipated action – move to refer to the City Manager with power**)

D. Letter from Richard Wagner, Executive Director, AIDS Response Seacoast, requesting permission to conduct their 13th Annual Seacoast AIDS Walk and Dog Walk on Sunday, May 4, 2009 from 10:00 a.m. to 5:00 p.m. (**Anticipated action – move to refer to the City Manager with power**)

E. Letter from Kathy Beebe Keefe, Executive Director, Sexual Assault Support Services (SASS), requesting permission to hold the 2nd Annual KidSafe 5K Run/Walk on Pease Tradeport Saturday, May 9, 2009. (**Anticipated action – move to refer to the City Manager with power**)

F. Letter from Edmond Daneault, Chief Rabban, Bektash Shriners requesting permission to hold their Spring Ceremonial parade for Saturday, May 2, 2009. (**Anticipated action – move to refer to the City Manager with power**)

G. Letter from Heidi Roy, Associate Development Manager, National Multiple Sclerosis Society requesting permission to hold their 2009 Bike MS Seacoast Bike Ride on Saturday, August 8, 2009. (**Anticipated action – move to refer to the City Manager with power**)

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

Councilor Smith moved to adopt the Consent Agenda. Seconded by Councilor Novelline Clayburgh and voted.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

1. Letter from Richard M. Candee, Professor Emeritus, Boston University Preservation Studies Program, Vice President Portsmouth Historical Society, regarding the Memorial Bridge.

Councilor Smith moved to authorize the Mayor to write a letter of support for the preservation of the Memorial Bridge and the nomination to the Most Endangered list for 2009. Seconded by Councilor Dwyer.

Councilor Smith thanked Mr. Candee for this helpful packet and encouraged the Mayor to write a letter of support. He stated that this is something we all need to get behind. Councilor Dwyer agreed with Councilor Smith and stated that our CIP assumed that we would continue to have this bridge available. She further suggested it be used as a pedestrian/bike bridge. Councilor Novelline Clayburgh stated that there is also a potential for financial support should the bridge be added to the National Trust's list of 11 Most Endangered Historic Places.

Mayor Ferrini passed the gavel to Assistant Mayor Blalock.

Mayor Ferrini asked City Attorney Sullivan what the effect would be on the City should we write this letter and later we can not come to an agreement with the State of Maine and/or technological solutions indicate that a far lower cost were available to construct a new bridge, would writing this letter of support hurt us in the future. City Attorney Sullivan stated that writing this letter will have an affect with regard to historic and federal reviews, but should not affect any agreement.

Assistant Mayor Blalock returned the gavel to Mayor Ferrini.

Councilor Pantelakos asked if the bridge belongs to the City of Portsmouth. City Manager Bohenko stated that it does not.

Motion passed.

2. Letter from Gregg Sessler and John Akar, Cava regarding license agreement for 10 Commercial Alley, Cava Sign

Councilor Novelline Clayburgh moved to refer to the Planning Board for a report back. Seconded by Councilor Smith and voted.

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Discussion and Proposed Action on Pay & Display Meters

City Manager Bohenko stated that it is his intent to get policy direction from the City Council as it relates to the future use of pay and display. He said that Jon Frederick, Parking Manager has prepared a short PowerPoint presentation.

Jon Frederick, Parking Manager, review the history and benefits of implementing on a permanent basis this system to replace our existing parking meters. He stated that the present meters are 4-5 years beyond replacement and for that reason, the pilot program was put in place to test the Pay & Display meters. He further stated that he has been pleased with the outcome of the pilot program.

City Manager Bohenko thanked Jon Frederick for his presentation. He stated that Manchester New Hampshire has this system and that Brandy Stanley, Parking Manager for Manchester is available and willing to answer any questions the Council may have.

Assistant Mayor Blalock moved to authorize the City Manager to implement the Pay and Display Program. Seconded by Councilor Smith.

Councilor Spear thanked Mr. Frederick for the fact sheet he provided the Council. He asked if the savings were in maintenance costs. Jon Frederick stated yes, there were no measurable man time savings. Councilor Spear stated that he liked the new technology and that he saw in his travels that there is a system that you can key in your vehicle license plate number into the Pay and Display. He asked if our system would do that. Jon Frederick stated that they do not have that feature as it was decided that this would cause extra steps on the public as most people do not know their license plate numbers and would have to make an extra trip back to their vehicle to get that information. Councilor Smith stated that complaints are falling off. He stated that people like the idea of being able to take their extra minutes with them to another parking space. He further stated that the meters should be used for short term parking and all long term parking should be in the parking garage. Councilor Novelline Clayburgh asked Ms. Stanley how the Pay and Display program is working in Manchester. Ms. Stanley stated that the program is very successful. She stated that the revenues are up 80% since its implementation. She further stated that her residents like the idea of being able to take their unused minutes with them for future use. Councilor Pantelakos asked how long it would take to recoup the amount spent on replacing the meters. Jon Frederick stated that it took the City of Manchester about a year and a half. City Manager Bohenko stated that we have to do something. Jon Frederick stated that replacing the old meters with a like system would cost about the same. Councilor Kennedy asked if we could have a public hearing on this. She stated that people are coming to her with complaints about this system and she feels they should be able to voice their opinions in a public hearing. Mayor Ferrini asked Councilor Kennedy if she was making a motion to this effect. Councilor Kennedy stated that she was

not. Assistant Mayor Blalock stated that he has liked this system from the start and has received many positive comments. He stated that the Pay and Display encourages using the parking garage. Councilor Dwyer stated this item would be in the CIP and there will be a public hearing with the CIP. She stated that she likes this system because of the snow bank problem. She said with the Pay and Display you do not have to climb over the snow banks to put your money in the meter. She further stated that there is a trend to smart environment and this is smart. Councilor Hejtmanek stated that he will support this motion. Councilor Smith stated that he would be more than happy to have a meeting with the Parking Committee on an evening to discuss this with the public to get an idea where people stand. City Manager stated that the purpose of tonight's vote is to give the staff some direction. Councilor Smith stated that the old meters use 1700 batteries a year which are disposed of in our dump. He stated that we are trying to become a sustainable city and this is not the way to get there. He said we need to move forward on this.

Councilor Kennedy moved to table and set a date for a public hearing. Seconded by Councilor Pantelakos.

Councilor Dwyer asked if this would hold up the Bridge Lot project. City Manager Bohenko stated that it would, but if the Council wants a public hearing we will postpone the Bridge Lot project and have a public hearing. Assistant Mayor Blalock stated that he would not support the motion. He stated that it is time for the City Council to make a decision for the public's benefit. Councilor Kennedy stated that with the holidays, a Public Hearing in January would not hold up much. Councilor Smith stated that he would not support this motion to table. He stated that he has had one phone call complaint and one person that came into his store with a complaint in six months.

Mayor Ferrini passed the gavel to Assistant Mayor Blalock.

Mayor Ferrini stated that it is not in the best interest to delay this. He stated that he has not had any complaints nor has there been anyone for the public comment session with complaints on this issue.

Assistant Mayor Blalock returned the gavel to Mayor Ferrini

On a roll call vote 6-3, motion to table and set a date for a public hearing **failed** to pass. Councilors Kennedy, Spear and Pantelakos voted in favor. Assistant Mayor Blalock, Councilors Novelline Clayburgh, Dwyer, Smith, Hejtmanek and Mayor Ferrini voted opposed.

On a roll call vote 7-2, voted to pass the main motion to authorize the City Manager to implement the Pay and Display Program. Assistant Mayor Blalock, Councilors Novelline Clayburgh, Dwyer, Smith, Spear, Hejtmanek and Mayor Ferrini voted in favor. Councilors Kennedy and Pantelakos voted opposed.

2. Report Back Re: Coventry Assets, Ltd., 10 Pleasant Street – License Agreement Request to Locate Canopies over the Port Street Right-of-Way

Councilor Novelline Clayburgh moved to accept the recommendation of the Planning Board with the aforementioned stipulations, approve this request for a License Agreement at 10 Pleasant Street, and authorize the City Manager to execute this Agreement. Seconded by Councilor Hejtmanek and voted.

3. Proposed Bonding Re: Citywide Capital Improvements

City Manager Bohenko stated that the Fiscal Year 2009 Capital Improvement Plan which was approved by the City Council last April, identified \$4,775,000 of citywide improvements that would require bonding. He stated that because of the economic situation, he and the city staff are recommending that that amount be reduced by \$1,275,000. He reviewed the projects that the staff recommends moving forward on.

Councilor Smith moved to authorize the City Manager to bring back for first reading a Bond for Citywide Improvements as listed in the amount of \$3,500,000.00 for the January 12, 2009 City Council meeting. Seconded by Assistant Mayor Blalock and voted.

4. Request of School Department to Transfer \$550,000.00 to fund Teacher's Collective Bargaining

City Manager Bohenko stated that Dr. Lister, Superintendent of Schools, requested a transfer of \$550,000.00 from the FY09 collective bargaining contingency line item. He stated that in accordance with the City Charter, Section 7.16 – Transfer of Appropriations, Paragraph B, this transfer can be made with the approval of the City Council. He said that the letter from Dr. Lister states that the cost of the teacher's contract for FY09 is estimated at \$667,081.00 and he further indicates that this will leave a shortfall of \$117,000.00, which the School Department will make an effort to absorb in the FY09 budget.

Councilor Novelline Clayburgh moved to authorize the City Manager to transfer \$550,000.00 from the FY9 Collective Bargaining Contingency Line Item. Seconded by Councilor Spear and voted.

City Manager Informational Items

3. City Hours of Operation Re: Christmas & New Year's

City Manager Bohenko stated that in the spirit of the holiday season, the hours of operation for City Hall, Recreation, Public Works Office and the Library will be from 8:00 a.m. to 3:00 p.m. on Wednesday, December 24, 2008 and Wednesday, December 31, 2008. The hours of operation for Public Works (excluding the office staff) will be from 7:30 a.m. to 3:00 pm.

B. MAYOR FERRINI

1. Proposed Letter to be sent to Congressional Delegation Re: Federal Stimulus Package

Councilor Spear recommended that Item 6 be changed to emphasize that this is required. Councilor Dwyer stated that she would recommend that three big headings be inserted dividing the letter into section of Transportation, Education and Environment.

Mayor Ferrini stated that he would make recommended changes from the City Council and send the letter to the Congressional Delegation.

2. Letter to Pease Development Authority (PDA) Re: Work Force Housing

Councilor Dwyer stated that she is glad we are doing this. Mayor Ferrini discussed possible work session dates and stated that he would send the letter to the Pease Development Authority and set a work session for January 26, 2009 at 6:00 p.m. Re: Work Force Housing.

4. Recreation Committee Reconstructing

Mayor Ferrini stated that Councilor Dwyer and City Attorney Sullivan will draft an Ordinance to be discussed at a work session on January 12, 2009.

3. Acceptance of Resignation: - Louis R. Vinciguerra – Cable Commission

Councilor Smith moved to accept with regret the resignation of Louis R. Vinciguerra from the Cable Commission and requested that Mayor Ferrini send a letter thanking Mr. Vinciguerra for his service to the City. Seconded by Councilor Kennedy and voted.

Councilor Smith moved to accept with regret the resignation of Brendan T. Ristaino from the School Board. Seconded by Councilor Pantelakos and voted.

C. COUNCILOR KENNEDY

1. Fishing Committee

Councilor Kennedy requested an extension of time for a report back from the Fishing Committee due to the holidays. Mayor Ferrini asked if anyone had any problem with extending the time for a report back until March 2009. There being none, Councilor Kennedy's request was approved.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT [AT 10:00PM OR EARLIER]

At 9:30 p.m., Assistant Mayor Blalock moved to adjourn. Seconded by Councilor Kennedy and voted.

Respectfully submitted by:

Dianne M. Kirby, Deputy City Clerk